

Text of Modified Regulation

OAL has illustrated changes to the original text in the following manner: regulation language originally proposed is underlined; deletions from the language originally proposed are shown in underline and strikeout using a " – "; and additions to the language originally proposed are double-underlined.

Section 30 of title 1 of the California Code of Regulations:

An adopting agency requesting an early effective date based on “good cause” as that term is used in subdivision (b)(3) of Government Code section 11343.4 shall provide specific facts and information in writing to OAL to demonstrate the need for the earlier effective date. The specific facts and information shall include the following as applicable: In determining whether a written request for an earlier effective date has demonstrated “good cause,” as that term is used in subdivision (b)(3) of Government Code section 11343.4, OAL shall consider, but not be limited to, the following:

(a) whether and to what extent the earlier effective date benefits public safety, protects public health or welfare, protects worker safety, protects the environment, prevents discrimination, or is necessary for the functions of government;

~~(a) whether businesses, including small businesses, affected by the proposed regulatory action will become aware of any regulatory changes that affect them before the changes go into effect and whether affected businesses, including small businesses, will have adequate time to comply with any new requirements imposed by the proposed regulatory action before the new requirements go into effect; and~~

(b) whether the earlier effective date is necessary for consistency with federal or state laws and/or regulations;

(c) ~~does~~ whether and to what extent the adopting agency anticipates that the benefit to the people of the State of California from the earlier effective date will outweigh any negative effect on affected businesses, including small businesses, imposed by the earlier effective date; and

~~(c) whether individuals affected by the proposed regulatory action will become aware of any regulatory changes that affect them before the changes go into effect and whether affected individuals will have adequate time to comply with any new requirements imposed by the~~

~~proposed regulatory action before the new requirements go into effect; and~~

(d) ~~does whether and to what extent the adopting agency anticipates that the benefit to the people of the State of California from the earlier effective date will outweigh any negative effect on affected individuals imposed by the earlier effective date; and~~

(e) ~~any other facts and information the adopting agency believes will support its request for an earlier effective date.~~

NOTE: Authority cited: Sections 11342.4 and 11349.1(e), Government Code.

Reference: Section 11343.4(b)(3), Government Code.